

REMARKS

The application has been amended so as to place it in condition for allowance at the time of the next Official Action.

Previously pending claims 1-4 have been canceled and replaced with new claims 5-6.

Responsive to the noted objections, the specification has been amended. A replacement abstract is provided on the attached separate sheet.

Responsive to the rejection of claim 4 under §112, second paragraph, claim 4 has been canceled.

Claims 1-4 were rejected under §102 as anticipated by BETH 5,562,135.

The Official Action stated that BETH disclosed in Figure 7 a reluctance motor comprising a motor spindle, a lathe, including a bed, and a headstock. The Official Action stated that the headstock and the spindle comprised a single spindle whose longitudinal axis lie on substantially the same axis.

Applicant respectfully disagrees. Applicant has carefully studied the applied reference and can find no disclosure of a construction in the specification or in the drawings which would enable one of skill in the art to construe that the headstock and spindle motor comprise a single spindle. Rather, it appears that BETH discloses the typical mixture of motor and spindle.

BETH discloses in the various drawings a power head 27 rigidly affixed to the column section 23. There is disclosed a telescopic effect of the column 21/23 which allows the drill to be moved towards or away from bed 17, permitting the reposition of the power head from time to time as required. As per Figure 6, the driver 35 advances the spindle 29 until the tool is in the desired position to drill, lathe, or whatever.

Since the power head 27 is fixed relative to column 21/23, and the driver 35 allows the spindle 29 to be advanced and receded, it is clear that the motor spindle (part of power head 27) must be separate from spindle 29 and be connected by some sort of mechanism which allows spindle 29 to rotate and to be advanced by driver 35. Accordingly, the inevitable conclusion is that the two spindles are not a single spindle as recited.

In view of this, the anticipation rejection is not believed to be viable. Reconsideration and withdrawal of the anticipation rejection and allowance of the pending claims are therefore respectfully requested.

Attached hereto is a marked-up version of the changes

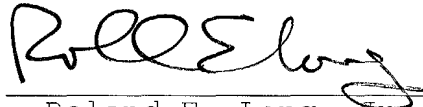
LATIMER S.N. 09/833,596

made to the abstract by the current amendment. The attached page is captioned "Version with markings to show changes made."

Respectfully submitted,

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a ABSTRACT OF THE DISCLOSURE

--A motor driven machine, such as a lathe, drill, router, saw, or shaping tool includes a machine spindle and a switch reluctance motor having a motor spindle, where the longitudinal axis of the motor spindle and the longitudinal axis of the machine spindle lie on substantially the same axis. In one form of the invention the machine spindle and motor spindle can be unitary.--